



Rep. John E. Bradley

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1 AMENDMENT TO SENATE BILL 642

2 AMENDMENT NO. _____. Amend Senate Bill 642 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The University of Illinois Act is amended by
5 changing Section 7 as follows:

6 (110 ILCS 305/7) (from Ch. 144, par. 28)

7 Sec. 7. Powers of trustees.

8 (a) The trustees shall have power to provide for the
9 requisite buildings, apparatus, and conveniences; to fix the
10 rates for tuition; to appoint such professors and instructors,
11 and to establish and provide for the management of such model
12 farms, model art, and other departments and professorships, as
13 may be required to teach, in the most thorough manner, such
14 branches of learning as are related to agriculture and the
15 mechanic arts, and military tactics, without excluding other
16 scientific and classical studies. The trustees shall, upon the

1 written request of an employee withhold from the compensation
2 of that employee any dues, payments or contributions payable by
3 such employee to any labor organization as defined in the
4 Illinois Educational Labor Relations Act. Under such
5 arrangement, an amount shall be withheld from each regular
6 payroll period which is equal to the pro rata share of the
7 annual dues plus any payments or contributions, and the
8 trustees shall transmit such withholdings to the specified
9 labor organization within 10 working days from the time of the
10 withholding. They may accept the endowments and voluntary
11 professorships or departments in the University, from any
12 person or persons or corporations who may offer the same, and,
13 at any regular meeting of the board, may prescribe rules and
14 regulations in relation to such endowments and declare on what
15 general principles they may be admitted: Provided, that such
16 special voluntary endowments or professorships shall not be
17 incompatible with the true design and scope of the act of
18 congress, or of this Act: Provided, that no student shall at
19 any time be allowed to remain in or about the University in
20 idleness, or without full mental or industrial occupation: And
21 provided further, that the trustees, in the exercise of any of
22 the powers conferred by this Act, shall not create any
23 liability or indebtedness in excess of the funds in the hands
24 of the treasurer of the University at the time of creating such
25 liability or indebtedness, and which may be specially and
26 properly applied to the payment of the same. Any lease to the

1 trustees of lands, buildings or facilities which will support
2 scientific research and development in such areas as high
3 technology, super computing, microelectronics, biotechnology,
4 robotics, physics and engineering shall be for a term not to
5 exceed 18 years, and may grant to the trustees the option to
6 purchase the lands, buildings or facilities. The lease shall
7 recite that it is subject to termination and cancellation in
8 any year for which the General Assembly fails to make an
9 appropriation to pay the rent payable under the terms of the
10 lease.

11 Leases for the purposes described herein exceeding 5 years
12 shall have the approval of the Illinois Board of Higher
13 Education.

14 The Board of Trustees may, directly or in cooperation with
15 other institutions of higher education, acquire by purchase or
16 lease or otherwise, and construct, enlarge, improve, equip,
17 complete, operate, control and manage medical research and high
18 technology parks, together with the necessary lands,
19 buildings, facilities, equipment and personal property
20 therefor, to encourage and facilitate (a) the location and
21 development of business and industry in the State of Illinois,
22 and (b) the increased application and development of technology
23 and (c) the improvement and development of the State's economy.
24 The Board of Trustees may lease to nonprofit corporations all
25 or any part of the land, buildings, facilities, equipment or
26 other property included in a medical research and high

1 technology park upon such terms and conditions as the
2 University of Illinois may deem advisable and enter into any
3 contract or agreement with such nonprofit corporations as may
4 be necessary or suitable for the construction, financing,
5 operation and maintenance and management of any such park; and
6 may lease to any person, firm, partnership or corporation,
7 either public or private, any part or all of the land,
8 building, facilities, equipment or other property of such park
9 for such purposes and upon such rentals, terms and conditions
10 as the University may deem advisable; and may finance all or
11 part of the cost of any such park, including the purchase,
12 lease, construction, reconstruction, improvement, remodeling,
13 addition to, and extension and maintenance of all or part of
14 such high technology park, and all equipment and furnishings,
15 by legislative appropriations, government grants, contracts,
16 private gifts, loans, receipts from the operation of such high
17 technology park, rentals and similar receipts; and may make its
18 other facilities and services available to tenants or other
19 occupants of any such park at rates which are reasonable and
20 appropriate.

21 The Trustees shall have power (a) to purchase real property
22 and easements, and (b) to acquire real property and easements
23 in the manner provided by law for the exercise of the right of
24 eminent domain, and in the event negotiations for the
25 acquisition of real property or easements for making any
26 improvement which the Trustees are authorized to make shall

1 have proven unsuccessful and the Trustees shall have by
2 resolution adopted a schedule or plan of operation for the
3 execution of the project and therein made a finding that it is
4 necessary to take such property or easements immediately or at
5 some specified later date in order to comply with the schedule,
6 the Trustees may acquire such property or easements in the same
7 manner provided in Article 20 of the Eminent Domain Act
8 (quick-take procedure).

9 The Board of Trustees also shall have power to agree with
10 the State's Attorney of the county in which any properties of
11 the Board are located to pay for services rendered by the
12 various taxing districts for the years 1944 through 1949 and to
13 pay annually for services rendered thereafter by such district
14 such sums as may be determined by the Board upon properties
15 used solely for income producing purposes, title to which is
16 held by said Board of Trustees, upon properties leased to
17 members of the staff of the University of Illinois, title to
18 which is held in trust for said Board of Trustees and upon
19 properties leased to for-profit entities the title to which
20 properties is held by the Board of Trustees. A certified copy
21 of any such agreement made with the State's Attorney shall be
22 filed with the County Clerk and such sums shall be distributed
23 to the respective taxing districts by the County Collector in
24 such proportions that each taxing district will receive
25 therefrom such proportion as the tax rate of such taxing
26 district bears to the total tax rate that would be levied

1 against such properties if they were not exempt from taxation
2 under the Property Tax Code.

3 The Board of Trustees of the University of Illinois,
4 subject to the applicable civil service law, may appoint
5 persons to be members of the University of Illinois Police
6 Department. Members of the Police Department shall be peace
7 officers and as such have all powers possessed by policemen in
8 cities, and sheriffs, including the power to make arrests on
9 view or warrants of violations of state statutes and city or
10 county ordinances, except that they may exercise such powers
11 only in counties wherein the University and any of its branches
12 or properties are located when such is required for the
13 protection of university properties and interests, and its
14 students and personnel, and otherwise, within such counties,
15 when requested by appropriate state or local law enforcement
16 officials; provided, however, that such officer shall have no
17 power to serve and execute civil processes.

18 The Board of Trustees must authorize to each member of the
19 University of Illinois Police Department and to any other
20 employee of the University of Illinois exercising the powers of
21 a peace officer a distinct badge that, on its face, (i) clearly
22 states that the badge is authorized by the University of
23 Illinois and (ii) contains a unique identifying number. No
24 other badge shall be authorized by the University of Illinois.
25 Nothing in this paragraph prohibits the Board of Trustees from
26 issuing shields or other distinctive identification to

1 employees not exercising the powers of a peace officer if the
2 Board of Trustees determines that a shield or distinctive
3 identification is needed by the employee to carry out his or
4 her responsibilities.

5 The Board of Trustees may own, operate, or govern, by or
6 through the College of Medicine at Peoria, a managed care
7 community network established under subsection (b) of Section
8 5-11 of the Illinois Public Aid Code.

9 The powers of the trustees as herein designated are subject
10 to the provisions of "An Act creating a Board of Higher
11 Education, defining its powers and duties, making an
12 appropriation therefor, and repealing an Act herein named",
13 approved August 22, 1961, as amended.

14 The Board of Trustees shall have the authority to adopt all
15 administrative rules which may be necessary for the effective
16 administration, enforcement and regulation of all matters for
17 which the Board has jurisdiction or responsibility.

18 (b) To assist in the provision of buildings and facilities
19 beneficial to, useful for, or supportive of University
20 purposes, the Board of Trustees of the University of Illinois
21 may exercise the following powers with regard to the area
22 located on or adjacent to the University of Illinois at Chicago
23 campus and bounded as follows: on the West by Morgan Street; on
24 the North by Roosevelt Road; on the East by Union Street; and
25 on the South by 16th Street, in the City of Chicago:

26 (1) Acquire any interests in land, buildings, or

1 facilities by purchase, including installments payable
2 over a period allowed by law, by lease over a term of such
3 duration as the Board of Trustees shall determine, or by
4 exercise of the power of eminent domain;

5 (2) Sub-lease or contract to purchase through
6 installments all or any portion of buildings or facilities
7 for such duration and on such terms as the Board of
8 Trustees shall determine, including a term that exceeds 5
9 years, provided that each such lease or purchase contract
10 shall be and shall recite that it is subject to termination
11 and cancellation in any year for which the General Assembly
12 fails to make an appropriation to pay the rent or purchase
13 installments payable under the terms of such lease or
14 purchase contract; and

15 (3) Sell property without compliance with the State
16 Property Control Act and retain proceeds in the University
17 Treasury in a special, separate development fund account
18 which the Auditor General shall examine to assure
19 compliance with this Act.

20 Any buildings or facilities to be developed on the land shall
21 be buildings or facilities that, in the determination of the
22 Board of Trustees, in whole or in part: (i) are for use by the
23 University; or (ii) otherwise advance the interests of the
24 University, including, by way of example, residential
25 facilities for University staff and students and commercial
26 facilities which provide services needed by the University

1 community. Revenues from the development fund account may be
2 withdrawn by the University for the purpose of demolition and
3 the processes associated with demolition; routine land and
4 property acquisition; extension of utilities; streetscape
5 work; landscape work; surface and structure parking;
6 sidewalks, recreational paths, and street construction; and
7 lease and lease purchase arrangements and the professional
8 services associated with the planning and development of the
9 area. Moneys from the development fund account used for any
10 other purpose must be deposited into and appropriated from the
11 General Revenue Fund. Buildings or facilities leased to an
12 entity or person other than the University shall not be subject
13 to any limitations applicable to a State supported college or
14 university under any law. All development on the land and all
15 use of any buildings or facilities shall be subject to the
16 control and approval of the Board of Trustees.

17 (c) The Board of Trustees shall have the power to borrow
18 money, as necessary, from time to time in anticipation of
19 receiving tuition, payments from the State of Illinois, or
20 other revenues or receipts of the University, also known as
21 anticipated moneys. The borrowing limit shall be capped at 100%
22 of the total amount of payroll and other expense vouchers
23 submitted and payable to the University for fiscal year 2010
24 expenses, but unpaid at the State Comptroller's office. Prior
25 to borrowing any funds, the University shall request from the
26 Comptroller's office a verification of the borrowing limit and

1 shall include the estimated date on which such borrowing shall
2 occur. The borrowing limit cap shall be verified by State
3 Comptroller's office not prior to 45 days before any estimated
4 date for executing any promissory note or line of credit
5 established under this subsection (c). The principal amount
6 borrowed under a promissory note or line of credit shall not
7 exceed 75% of the borrowing limit. Within 15 days after
8 borrowing funds under any promissory note or line of credit
9 established under this subsection (c), the University shall
10 submit to the Governor's Office of Management and Budget, the
11 Speaker of the House of Representatives, the Minority Leader of
12 the House of Representatives, the President of the Senate, and
13 Minority Leader of the Senate, an Emergency Short Term Cash
14 Management Plan. The Emergency Short Term Cash Management Plan
15 shall outline the amount borrowed, the terms for repayment, the
16 amount of outstanding State vouchers as verified by the State
17 Comptroller's office, and the University's plan for
18 expenditure of any borrowed funds, including, but not limited
19 to, a detailed plan to meet payroll obligations to include
20 collective bargaining employees, civil service employees, and
21 academic, research, and health care personnel. The
22 establishment of any promissory note or line of credit
23 established under this subsection (c) must be finalized within
24 90 days after the effective date of this amendatory Act of the
25 96th General Assembly. The borrowed moneys shall be applied to
26 the purposes of paying salaries and other expenses lawfully

1 authorized in the University's State appropriation and unpaid
2 by the State Comptroller. Any line of credit established under
3 this subsection (c) shall be paid in full one year after
4 creation or within 10 days after the date the University
5 receives reimbursement from the State for all submitted fiscal
6 year 2010 vouchers, whichever is earlier. Any promissory note
7 established under this subsection (c) shall be repaid within
8 one year after issuance of the note. The Chairman, Comptroller,
9 or Treasurer of the Board shall execute a promissory note or
10 similar debt instrument to evidence the indebtedness incurred
11 by the borrowing. In connection with a borrowing, the Board may
12 establish a line of credit with a financial institution,
13 investment bank, or broker/dealer. The obligation to make the
14 payments due under any promissory note or line of credit
15 established under this subsection (c) shall be a lawful
16 obligation of the University payable from the anticipated
17 moneys. Any borrowing under this subsection (c) shall not
18 constitute a debt, legal or moral, of the State and shall not
19 be enforceable against the State. The promissory note or line
20 of credit shall be authorized by a resolution passed by the
21 Board and shall be valid whether or not a budgeted item with
22 respect to that resolution is included in any annual or
23 supplemental budget adopted by the Board. The resolution shall
24 set forth facts demonstrating the need for the borrowing, state
25 an amount that the amount to be borrowed will not exceed, and
26 establish a maximum interest rate limit not to exceed the

1 maximum rate authorized by the Bond Authorization Act or 9%,
2 whichever is less. The resolution may direct the Comptroller or
3 Treasurer of the Board to make arrangements to set apart and
4 hold the portion of the anticipated moneys, as received, that
5 shall be used to repay the borrowing, subject to any prior
6 pledges or restrictions with respect to the anticipated moneys.
7 The resolution may also authorize the Treasurer of the Board to
8 make partial repayments of the borrowing as the anticipated
9 moneys become available and may contain any other terms,
10 restrictions, or limitations not inconsistent with the powers
11 of the Board.

12 For the purposes of this subsection (c), "financial
13 institution" means any bank subject to the Illinois Banking
14 Act, any savings and loan association subject to the Illinois
15 Savings and Loan Act of 1985, and any federally chartered
16 commercial bank or savings and loan association or
17 government-sponsored enterprise organized and operated in this
18 State pursuant to the laws of the United States.

19 (Source: P.A. 93-423, eff. 8-5-03; 94-1055, eff. 1-1-07.)

20 Section 10. The Southern Illinois University Management
21 Act is amended by changing Section 8 as follows:

22 (110 ILCS 520/8) (from Ch. 144, par. 658)

23 Sec. 8. Powers and Duties of the Board. The Board shall
24 have power and it shall be its duty:

1 1. To make rules, regulations and by-laws, not
2 inconsistent with law, for the government and management of
3 Southern Illinois University and its branches;

4 2. To employ, and, for good cause, to remove a
5 president of Southern Illinois University, and all
6 necessary deans, professors, associate professors,
7 assistant professors, instructors, and other educational
8 and administrative assistants, and all other necessary
9 employees, and contract with them upon matters relating to
10 tenure, salaries and retirement benefits in accordance
11 with the State Universities Civil Service Act; the Board
12 shall, upon the written request of an employee of Southern
13 Illinois University, withhold from the compensation of
14 that employee any dues, payments or contributions payable
15 by such employee to any labor organization as defined in
16 the Illinois Educational Labor Relations Act. Under such
17 arrangement, an amount shall be withheld from each regular
18 payroll period which is equal to the pro rata share of the
19 annual dues plus any payments or contributions, and the
20 Board shall transmit such withholdings to the specified
21 labor organization within 10 working days from the time of
22 the withholding. Whenever the Board establishes a search
23 committee to fill the position of president of Southern
24 Illinois University, there shall be minority
25 representation, including women, on that search committee;

26 3. To prescribe the course of study to be followed, and

1 textbooks and apparatus to be used at Southern Illinois
2 University;

3 4. To issue upon the recommendation of the faculty,
4 diplomas to such persons as have satisfactorily completed
5 the required studies of Southern Illinois University, and
6 confer such professional and literary degrees as are
7 usually conferred by other institutions of like character
8 for similar or equivalent courses of study, or such as the
9 Board may deem appropriate;

10 5. To examine into the conditions, management, and
11 administration of Southern Illinois University, to provide
12 the requisite buildings, apparatus, equipment and
13 auxiliary enterprises, and to fix and collect
14 matriculation fees; tuition fees; fees for student
15 activities; fees for student facilities such as student
16 union buildings or field houses or stadium or other
17 recreational facilities; student welfare fees; laboratory
18 fees and similar fees for supplies and material;

19 6. To succeed to and to administer all trusts, trust
20 property, and gifts now or hereafter belonging or
21 pertaining to Southern Illinois University;

22 7. To accept endowments of professorships or
23 departments in the University from any person who may
24 proffer them and, at regular meetings, to prescribe rules
25 and regulations in relation to endowments and declare on
26 what general principles they may be accepted;

1 8. To enter into contracts with the Federal government
2 for providing courses of instruction and other services at
3 Southern Illinois University for persons serving in or with
4 the military or naval forces of the United States, and to
5 provide such courses of instruction and other services;

6 9. To provide for the receipt and expenditures of
7 Federal funds, paid to the Southern Illinois University by
8 the Federal government for instruction and other services
9 for persons serving in or with the military or naval forces
10 of the United States and to provide for audits of such
11 funds;

12 10. To appoint, subject to the applicable civil service
13 law, persons to be members of the Southern Illinois
14 University Police Department. Members of the Police
15 Department shall be conservators of the peace and as such
16 have all powers possessed by policemen in cities, and
17 sheriffs, including the power to make arrests on view or
18 warrants of violations of state statutes, university rules
19 and regulations and city or county ordinances, except that
20 they may exercise such powers only within counties wherein
21 the university and any of its branches or properties are
22 located when such is required for the protection of
23 university properties and interests, and its students and
24 personnel, and otherwise, within such counties, when
25 requested by appropriate State or local law enforcement
26 officials. However, such officers shall have no power to

1 serve and execute civil processes.

2 The Board must authorize to each member of the Southern
3 Illinois University Police Department and to any other
4 employee of Southern Illinois University exercising the
5 powers of a peace officer a distinct badge that, on its
6 face, (i) clearly states that the badge is authorized by
7 Southern Illinois University and (ii) contains a unique
8 identifying number. No other badge shall be authorized by
9 Southern Illinois University.

10 10.5. To conduct health care programs in furtherance of
11 its teaching, research, and public service functions,
12 which shall include without limitation patient and
13 ancillary facilities, institutes, clinics, or offices
14 owned, leased, or purchased through an equity interest by
15 the Board or its appointed designee to carry out such
16 activities in the course of or in support of the Board's
17 academic, clinical, and public service responsibilities.

18 11. To administer a plan or plans established by the
19 clinical faculty of the School of Medicine for the billing,
20 collection and disbursement of charges for services
21 performed in the course of or in support of the faculty's
22 academic responsibilities, provided that such plan has
23 been first approved by Board action. All such collections
24 shall be deposited into a special fund or funds
25 administered by the Board from which disbursements may be
26 made according to the provisions of said plan. The

1 reasonable costs incurred, by the University,
2 administering the billing, collection and disbursement
3 provisions of a plan shall have first priority for payment
4 before distribution or disbursement for any other purpose.
5 Audited financial statements of the plan or plans must be
6 provided to the Legislative Audit Commission annually.

7 The Board of Trustees may own, operate, or govern, by
8 or through the School of Medicine, a managed care community
9 network established under subsection (b) of Section 5-11 of
10 the Illinois Public Aid Code.

11 12. The Board of Trustees may, directly or in
12 cooperation with other institutions of higher education,
13 acquire by purchase or lease or otherwise, and construct,
14 enlarge, improve, equip, complete, operate, control and
15 manage medical research and high technology parks,
16 together with the necessary lands, buildings, facilities,
17 equipment, and personal property therefor, to encourage
18 and facilitate (a) the location and development of business
19 and industry in the State of Illinois, and (b) the
20 increased application and development of technology and
21 (c) the improvement and development of the State's economy.
22 The Board of Trustees may lease to nonprofit corporations
23 all or any part of the land, buildings, facilities,
24 equipment or other property included in a medical research
25 and high technology park upon such terms and conditions as
26 the Board of Trustees may deem advisable and enter into any

1 contract or agreement with such nonprofit corporations as
2 may be necessary or suitable for the construction,
3 financing, operation and maintenance and management of any
4 such park; and may lease to any person, firm, partnership
5 or corporation, either public or private, any part or all
6 of the land, building, facilities, equipment or other
7 property of such park for such purposes and upon such
8 rentals, terms and conditions as the Board of Trustees may
9 deem advisable; and may finance all or part of the cost of
10 any such park, including the purchase, lease,
11 construction, reconstruction, improvement, remodeling,
12 addition to, and extension and maintenance of all or part
13 of such high technology park, and all equipment and
14 furnishings, by legislative appropriations, government
15 grants, contracts, private gifts, loans, receipts from the
16 operation of such high technology park, rentals and similar
17 receipts; and may make its other facilities and services
18 available to tenants or other occupants of any such park at
19 rates which are reasonable and appropriate.

20 13. To borrow money, as necessary, from time to time in
21 anticipation of receiving tuition, payments from the State
22 of Illinois, or other revenues or receipts of the
23 University, also known as anticipated moneys. The
24 borrowing limit shall be capped at 100% of the total amount
25 of payroll and other expense vouchers submitted and payable
26 to the University for fiscal year 2010 expenses, but unpaid

1 at the State Comptroller's office. Prior to borrowing any
2 funds, the University shall request from the Comptroller's
3 office a verification of the borrowing limit and shall
4 include the estimated date on which such borrowing shall
5 occur. The borrowing limit cap shall be verified by State
6 Comptroller's office not prior to 45 days before any
7 estimated date for executing any promissory note or line of
8 credit established under this item 13. The principal amount
9 borrowed under a promissory note or line of credit shall
10 not exceed 75% of the borrowing limit. Within 15 days after
11 borrowing funds under any promissory note or line of credit
12 established under this item 13, the University shall submit
13 to the Governor's Office of Management and Budget, the
14 Speaker of the House of Representatives, the Minority
15 Leader of the House of Representatives, the President of
16 the Senate, and Minority Leader of the Senate, an Emergency
17 Short Term Cash Management Plan. The Emergency Short Term
18 Cash Management Plan shall outline the amount borrowed, the
19 terms for repayment, the amount of outstanding State
20 vouchers as verified by the State Comptroller's office, and
21 the University's plan for expenditure of any borrowed
22 funds, including, but not limited to, a detailed plan to
23 meet payroll obligations to include collective bargaining
24 employees, civil service employees, and academic,
25 research, and health care personnel. The establishment of
26 any promissory note or line of credit established under

1 this item 13 must be finalized within 90 days after the
2 effective date of this amendatory Act of the 96th General
3 Assembly. The borrowed moneys shall be applied to the
4 purposes of paying salaries and other expenses lawfully
5 authorized in the University's State appropriation and
6 unpaid by the State Comptroller. Any line of credit
7 established under this item 13 shall be paid in full one
8 year after creation or within 10 days after the date the
9 University receives reimbursement from the State for all
10 submitted fiscal year 2010 vouchers, whichever is earlier.
11 Any promissory note established under this item (13) shall
12 be repaid within one year after issuance of the note. The
13 Chairman, Comptroller, or Treasurer of the Board shall
14 execute a promissory note or similar debt instrument to
15 evidence the indebtedness incurred by the borrowing. In
16 connection with a borrowing, the Board may establish a line
17 of credit with a financial institution, investment bank, or
18 broker/dealer. The obligation to make the payments due
19 under any promissory note or line of credit established
20 under this item 13 shall be a lawful obligation of the
21 University payable from the anticipated moneys. Any
22 borrowing under this item 13 shall not constitute a debt,
23 legal or moral, of the State and shall not be enforceable
24 against the State. The promissory note or line of credit
25 shall be authorized by a resolution passed by the Board and
26 shall be valid whether or not a budgeted item with respect

1 to that resolution is included in any annual or
2 supplemental budget adopted by the Board. The resolution
3 shall set forth facts demonstrating the need for the
4 borrowing, state an amount that the amount to be borrowed
5 will not exceed, and establish a maximum interest rate
6 limit not to exceed the maximum rate authorized by the Bond
7 Authorization Act or 9%, whichever is less. The resolution
8 may direct the Comptroller or Treasurer of the Board to
9 make arrangements to set apart and hold the portion of the
10 anticipated moneys, as received, that shall be used to
11 repay the borrowing, subject to any prior pledges or
12 restrictions with respect to the anticipated moneys. The
13 resolution may also authorize the Treasurer of the Board to
14 make partial repayments of the borrowing as the anticipated
15 moneys become available and may contain any other terms,
16 restrictions, or limitations not inconsistent with the
17 powers of the Board.

18 For the purposes of this item 13, "financial
19 institution" means any bank subject to the Illinois Banking
20 Act, any savings and loan association subject to the
21 Illinois Savings and Loan Act of 1985, and any federally
22 chartered commercial bank or savings and loan association
23 or government-sponsored enterprise organized and operated
24 in this State pursuant to the laws of the United States.

25 The powers of the Board as herein designated are subject to
26 the Board of Higher Education Act.

1 (Source: P.A. 95-158, eff. 8-14-07; 95-876, eff. 8-21-08.)

2 Section 15. The Chicago State University Law is amended by
3 changing Section 5-45 as follows:

4 (110 ILCS 660/5-45)

5 Sec. 5-45. Powers and duties. The Board also shall have
6 power and it shall be its duty:

7 (1) To make rules, regulations and bylaws, not inconsistent
8 with law, for the government and management of Chicago State
9 University and its branches;

10 (2) To employ, and, for good cause, to remove a President
11 of Chicago State University, and all necessary deans,
12 professors, associate professors, assistant professors,
13 instructors, other educational and administrative assistants,
14 and all other necessary employees, and to prescribe their
15 duties and contract with them upon matters relating to tenure,
16 salaries and retirement benefits in accordance with the State
17 Universities Civil Service Act. Whenever the Board establishes
18 a search committee to fill the position of President of Chicago
19 State University, there shall be minority representation,
20 including women, on that search committee. The Board shall,
21 upon the written request of an employee of Chicago State
22 University, withhold from the compensation of that employee any
23 dues, payments or contributions payable by such employee to any
24 labor organization as defined in the Illinois Educational Labor

1 Relations Act. Under such arrangement, an amount shall be
2 withheld from each regular payroll period which is equal to the
3 pro rata share of the annual dues plus any payments or
4 contributions, and the Board shall transmit such withholdings
5 to the specified labor organization within 10 working days from
6 the time of the withholding;

7 (3) To prescribe the courses of study to be followed, and
8 textbooks and apparatus to be used at Chicago State University;

9 (4) To issue upon the recommendation of the faculty,
10 diplomas to such persons as have satisfactorily completed the
11 required studies of Chicago State University, and confer such
12 professional and literary degrees as are usually conferred by
13 other institutions of like character for similar or equivalent
14 courses of study, or such as the Board may deem appropriate;

15 (5) To examine into the conditions, management, and
16 administration of Chicago State University, to provide the
17 requisite buildings, apparatus, equipment and auxiliary
18 enterprises, and to fix and collect matriculation fees; tuition
19 fees; fees for student activities; fees for student facilities
20 such as student union buildings or field houses or stadia or
21 other recreational facilities; student welfare fees;
22 laboratory fees; and similar fees for supplies and materials.
23 The expense of the building, improving, repairing and supplying
24 fuel and furniture and the necessary appliances and apparatus
25 for conducting Chicago State University, the reimbursed
26 expenses of members of the Board, and the salaries or

1 compensation of the President, assistants, agents and other
2 employees of Chicago State University, shall be a charge upon
3 the State Treasury. All other expenses shall be chargeable
4 against students, and the Board shall regulate the charges
5 accordingly;

6 (6) To succeed to and to administer all trusts, trust
7 property, and gifts now or hereafter belonging or pertaining to
8 Chicago State University;

9 (7) To accept endowments of professorships or departments
10 in Chicago State University from any person who may proffer
11 them and, at regular meetings, to prescribe rules and
12 regulations in relation to endowments and declare on what
13 general principles they may be accepted;

14 (8) To enter into contracts with the Federal government for
15 providing courses of instruction and other services at Chicago
16 State University for persons serving in or with the military or
17 naval forces of the United States, and to provide such courses
18 of instruction and other services;

19 (9) To contract with respect to the Cooperative Computer
20 Center to obtain services related to electronic data
21 processing;

22 (10) To provide for the receipt and expenditures of Federal
23 funds paid to Chicago State University by the Federal
24 government for instruction and other services for persons
25 serving in or with the military or naval forces of the United
26 States, and to provide for audits of such funds;

1 (11) To appoint, subject to the applicable civil service
2 law, persons to be members of the Chicago State University
3 Police Department. Members of the Police Department shall be
4 conservators of the peace and as such have all powers possessed
5 by policemen in cities, and sheriffs, including the power to
6 make arrests on view or warrants of violations of State
7 statutes, University rules and regulations and city or county
8 ordinances, except that they may exercise such powers only
9 within counties wherein Chicago State University and any of its
10 branches or properties are located when such is required for
11 the protection of University properties and interests, and its
12 students and personnel, and otherwise, within such counties,
13 when requested by appropriate State or local law enforcement
14 officials. However, such officers shall have no power to serve
15 and execute civil processes.

16 The Board must authorize to each member of the Chicago
17 State University Police Department and to any other employee of
18 Chicago State University exercising the powers of a peace
19 officer a distinct badge that, on its face, (i) clearly states
20 that the badge is authorized by Chicago State University and
21 (ii) contains a unique identifying number on its face. No other
22 badge shall be authorized by Chicago State University;

23 (12) The Board may, directly or in cooperation with other
24 institutions of higher education, acquire by purchase or lease
25 or otherwise, and construct, enlarge, improve, equip,
26 complete, operate, control and manage research and high

1 technology parks, together with the necessary lands,
2 buildings, facilities, equipment, and personal property
3 therefor, to encourage and facilitate (i) the location and
4 development of business and industry in the State of Illinois,
5 and (ii) the increased application and development of
6 technology, and (iii) the improvement and development of the
7 State's economy. The Board may lease to nonprofit corporations
8 all or any part of the land, buildings, facilities, equipment
9 or other property included in a research and high technology
10 park upon such terms and conditions as the Board may deem
11 advisable and enter into any contract or agreement with such
12 nonprofit corporations as may be necessary or suitable for the
13 construction, financing, operation and maintenance and
14 management of any such park; and may lease to any person, firm,
15 partnership or corporation, either public or private, any part
16 or all of the land, building, facilities, equipment or other
17 property of such park for such purposes and upon such rentals,
18 terms and conditions as the Board may deem advisable; and may
19 finance all or part of the cost of any such park, including the
20 purchase, lease, construction, reconstruction, improvement,
21 remodeling, addition to, and extension and maintenance of all
22 or part of such high technology park, and all equipment and
23 furnishings, by legislative appropriations, government grants,
24 contracts, private gifts, loans, receipts from the operation of
25 such high technology park, rentals and similar receipts; and
26 may make its other facilities and services available to tenants

1 or other occupants of any such park at rates which are
2 reasonable and appropriate; -

3 (13) To borrow money, as necessary, from time to time in
4 anticipation of receiving tuition, payments from the State of
5 Illinois, or other revenues or receipts of the University, also
6 known as anticipated moneys. The borrowing limit shall be
7 capped at 100% of the total amount of payroll and other expense
8 vouchers submitted and payable to the University for fiscal
9 year 2010 expenses, but unpaid at the State Comptroller's
10 office. Prior to borrowing any funds, the University shall
11 request from the Comptroller's office a verification of the
12 borrowing limit and shall include the estimated date on which
13 such borrowing shall occur. The borrowing limit cap shall be
14 verified by State Comptroller's office not prior to 45 days
15 before any estimated date for executing any promissory note or
16 line of credit established under this item (13). The principal
17 amount borrowed under a promissory note or line of credit shall
18 not exceed 75% of the borrowing limit. Within 15 days after
19 borrowing funds under any promissory note or line of credit
20 established under this item (13), the University shall submit
21 to the Governor's Office of Management and Budget, the Speaker
22 of the House of Representatives, the Minority Leader of the
23 House of Representatives, the President of the Senate, and
24 Minority Leader of the Senate, an Emergency Short Term Cash
25 Management Plan. The Emergency Short Term Cash Management Plan
26 shall outline the amount borrowed, the terms for repayment, the

1 amount of outstanding State vouchers as verified by the State
2 Comptroller's office, and the University's plan for
3 expenditure of any borrowed funds, including, but not limited
4 to, a detailed plan to meet payroll obligations to include
5 collective bargaining employees, civil service employees, and
6 academic, research, and health care personnel. The
7 establishment of any promissory note or line of credit
8 established under this item (13) must be finalized within 90
9 days after the effective date of this amendatory Act of the
10 96th General Assembly. The borrowed moneys shall be applied to
11 the purposes of paying salaries and other expenses lawfully
12 authorized in the University's State appropriation and unpaid
13 by the State Comptroller. Any line of credit established under
14 this item (13) shall be paid in full one year after creation or
15 within 10 days after the date the University receives
16 reimbursement from the State for all submitted fiscal year 2010
17 vouchers, whichever is earlier. Any promissory note
18 established under this item (13) shall be repaid within one
19 year after issuance of the note. The Chairman, Comptroller, or
20 Treasurer of the Board shall execute a promissory note or
21 similar debt instrument to evidence the indebtedness incurred
22 by the borrowing. In connection with a borrowing, the Board may
23 establish a line of credit with a financial institution,
24 investment bank, or broker/dealer. The obligation to make the
25 payments due under any promissory note or line of credit
26 established under this item (13) shall be a lawful obligation

1 of the University payable from the anticipated moneys. Any
2 borrowing under this item (13) shall not constitute a debt,
3 legal or moral, of the State and shall not be enforceable
4 against the State. The promissory note or line of credit shall
5 be authorized by a resolution passed by the Board and shall be
6 valid whether or not a budgeted item with respect to that
7 resolution is included in any annual or supplemental budget
8 adopted by the Board. The resolution shall set forth facts
9 demonstrating the need for the borrowing, state an amount that
10 the amount to be borrowed will not exceed, and establish a
11 maximum interest rate limit not to exceed the maximum rate
12 authorized by the Bond Authorization Act or 9%, whichever is
13 less. The resolution may direct the Comptroller or Treasurer of
14 the Board to make arrangements to set apart and hold the
15 portion of the anticipated moneys, as received, that shall be
16 used to repay the borrowing, subject to any prior pledges or
17 restrictions with respect to the anticipated moneys. The
18 resolution may also authorize the Treasurer of the Board to
19 make partial repayments of the borrowing as the anticipated
20 moneys become available and may contain any other terms,
21 restrictions, or limitations not inconsistent with the powers
22 of the Board.

23 For the purposes of this item (13), "financial institution"
24 means any bank subject to the Illinois Banking Act, any savings
25 and loan association subject to the Illinois Savings and Loan
26 Act of 1985, and any federally chartered commercial bank or

1 savings and loan association or government-sponsored
2 enterprise organized and operated in this State pursuant to the
3 laws of the United States.

4 (Source: P.A. 91-883, eff. 1-1-01.)

5 Section 20. The Eastern Illinois University Law is amended
6 by changing Section 10-45 as follows:

7 (110 ILCS 665/10-45)

8 Sec. 10-45. Powers and duties.

9 (a) The Board also shall have power and it shall be its
10 duty:

11 (1) To make rules, regulations and bylaws, not
12 inconsistent with law, for the government and management of
13 Eastern Illinois University and its branches.

14 (2) To employ, and, for good cause, to remove a
15 President of Eastern Illinois University, and all
16 necessary deans, professors, associate professors,
17 assistant professors, instructors, other educational and
18 administrative assistants, and all other necessary
19 employees, and to prescribe their duties and contract with
20 them upon matters relating to tenure, salaries and
21 retirement benefits in accordance with the State
22 Universities Civil Service Act. Whenever the Board
23 establishes a search committee to fill the position of
24 President of Eastern Illinois University, there shall be

1 minority representation, including women, on that search
2 committee. The Board shall, upon the written request of an
3 employee of Eastern Illinois University, withhold from the
4 compensation of that employee any dues, payments or
5 contributions payable by such employee to any labor
6 organization as defined in the Illinois Educational Labor
7 Relations Act. Under such arrangement, an amount shall be
8 withheld from each regular payroll period which is equal to
9 the pro rata share of the annual dues plus any payments or
10 contributions, and the Board shall transmit such
11 withholdings to the specified labor organization within 10
12 working days from the time of the withholding.

13 (3) To prescribe the courses of study to be followed,
14 and textbooks and apparatus to be used at Eastern Illinois
15 University.

16 (4) To issue upon the recommendation of the faculty,
17 diplomas to such persons as have satisfactorily completed
18 the required studies of Eastern Illinois University, and
19 confer such professional and literary degrees as are
20 usually conferred by other institutions of like character
21 for similar or equivalent courses of study, or such as the
22 Board may deem appropriate.

23 (5) To examine into the conditions, management, and
24 administration of Eastern Illinois University, to provide
25 the requisite buildings, apparatus, equipment and
26 auxiliary enterprises, and to fix and collect

1 matriculation fees; tuition fees; fees for student
2 activities; fees for student facilities such as student
3 union buildings or field houses or stadia or other
4 recreational facilities; student welfare fees; laboratory
5 fees; and similar fees for supplies and materials. The
6 expense of the building, improving, repairing and
7 supplying fuel and furniture and the necessary appliances
8 and apparatus for conducting Eastern Illinois University,
9 the reimbursed expenses of members of the Board, and the
10 salaries or compensation of the President, assistants,
11 agents and other employees of Eastern Illinois University,
12 shall be a charge upon the State Treasury. All other
13 expenses shall be chargeable against students, and the
14 Board shall regulate the charges accordingly.

15 (6) To succeed to and to administer all trusts, trust
16 property, and gifts now or hereafter belonging or
17 pertaining to Eastern Illinois University.

18 (7) To accept endowments of professorships or
19 departments in Eastern Illinois University from any person
20 who may proffer them and, at regular meetings, to prescribe
21 rules and regulations in relation to endowments and declare
22 on what general principles they may be accepted.

23 (8) To enter into contracts with the Federal government
24 for providing courses of instruction and other services at
25 Eastern Illinois University for persons serving in or with
26 the military or naval forces of the United States, and to

1 provide such courses of instruction and other services.

2 (9) To contract with respect to the Cooperative
3 Computer Center to obtain services related to electronic
4 data processing.

5 (10) To provide for the receipt and expenditures of
6 Federal funds paid to Eastern Illinois University by the
7 Federal government for instruction and other services for
8 persons serving in or with the military or naval forces of
9 the United States, and to provide for audits of such funds.

10 (11) To appoint, subject to the applicable civil
11 service law, persons to be members of the Eastern Illinois
12 University Police Department. Members of the Police
13 Department shall be conservators of the peace and as such
14 have all powers possessed by policemen in cities, and
15 sheriffs, including the power to make arrests on view or
16 warrants of violations of State statutes, University rules
17 and regulations and city or county ordinances, except that
18 they may exercise such powers only within counties wherein
19 Eastern Illinois University and any of its branches or
20 properties are located when such is required for the
21 protection of University properties and interests, and its
22 students and personnel, and otherwise, within such
23 counties, when requested by appropriate State or local law
24 enforcement officials. However, such officers shall have
25 no power to serve and execute civil processes.

26 The Board must authorize to each member of the Eastern

1 Illinois University Police Department and to any other
2 employee of Eastern Illinois University exercising the
3 powers of a peace officer a distinct badge that, on its
4 face, (i) clearly states that the badge is authorized by
5 Eastern Illinois University and (ii) contains a unique
6 identifying number. No other badge shall be authorized by
7 Eastern Illinois University.

8 (12) To borrow money, as necessary, from time to time
9 in anticipation of receiving tuition, payments from the
10 State of Illinois, or other revenues or receipts of the
11 University, also known as anticipated moneys. The
12 borrowing limit shall be capped at 100% of the total amount
13 of payroll and other expense vouchers submitted and payable
14 to the University for fiscal year 2010 expenses, but unpaid
15 at the State Comptroller's office. Prior to borrowing any
16 funds, the University shall request from the Comptroller's
17 office a verification of the borrowing limit and shall
18 include the estimated date on which such borrowing shall
19 occur. The borrowing limit cap shall be verified by State
20 Comptroller's office not prior to 45 days before any
21 estimated date for executing any promissory note or line of
22 credit established under this item (12). The principal
23 amount borrowed under a promissory note or line of credit
24 shall not exceed 75% of the borrowing limit. Within 15 days
25 after borrowing funds under any promissory note or line of
26 credit established under this item (12), the University

1 shall submit to the Governor's Office of Management and
2 Budget, the Speaker of the House of Representatives, the
3 Minority Leader of the House of Representatives, the
4 President of the Senate, and Minority Leader of the Senate,
5 an Emergency Short Term Cash Management Plan. The Emergency
6 Short Term Cash Management Plan shall outline the amount
7 borrowed, the terms for repayment, the amount of
8 outstanding State vouchers as verified by the State
9 Comptroller's office, and the University's plan for
10 expenditure of any borrowed funds, including, but not
11 limited to, a detailed plan to meet payroll obligations to
12 include collective bargaining employees, civil service
13 employees, and academic, research, and health care
14 personnel. The establishment of any promissory note or line
15 of credit established under this item (12) must be
16 finalized within 90 days after the effective date of this
17 amendatory Act of the 96th General Assembly. The borrowed
18 moneys shall be applied to the purposes of paying salaries
19 and other expenses lawfully authorized in the University's
20 State appropriation and unpaid by the State Comptroller.
21 Any line of credit established under this item (12) shall
22 be paid in full one year after creation or within 10 days
23 after the date the University receives reimbursement from
24 the State for all submitted fiscal year 2010 vouchers,
25 whichever is earlier. Any promissory note established
26 under this item (12) shall be repaid within one year after

1 issuance of the note. The Chairman, Comptroller, or
2 Treasurer of the Board shall execute a promissory note or
3 similar debt instrument to evidence the indebtedness
4 incurred by the borrowing. In connection with a borrowing,
5 the Board may establish a line of credit with a financial
6 institution, investment bank, or broker/dealer. The
7 obligation to make the payments due under any promissory
8 note or line of credit established under this item (12)
9 shall be a lawful obligation of the University payable from
10 the anticipated moneys. Any borrowing under this item (12)
11 shall not constitute a debt, legal or moral, of the State
12 and shall not be enforceable against the State. The
13 promissory note or line of credit shall be authorized by a
14 resolution passed by the Board and shall be valid whether
15 or not a budgeted item with respect to that resolution is
16 included in any annual or supplemental budget adopted by
17 the Board. The resolution shall set forth facts
18 demonstrating the need for the borrowing, state an amount
19 that the amount to be borrowed will not exceed, and
20 establish a maximum interest rate limit not to exceed the
21 maximum rate authorized by the Bond Authorization Act or
22 9%, whichever is less. The resolution may direct the
23 Comptroller or Treasurer of the Board to make arrangements
24 to set apart and hold the portion of the anticipated
25 moneys, as received, that shall be used to repay the
26 borrowing, subject to any prior pledges or restrictions

1 with respect to the anticipated moneys. The resolution may
2 also authorize the Treasurer of the Board to make partial
3 repayments of the borrowing as the anticipated moneys
4 become available and may contain any other terms,
5 restrictions, or limitations not inconsistent with the
6 powers of the Board.

7 For the purposes of this item (12), "financial
8 institution" means any bank subject to the Illinois Banking
9 Act, any savings and loan association subject to the
10 Illinois Savings and Loan Act of 1985, and any federally
11 chartered commercial bank or savings and loan association
12 or government-sponsored enterprise organized and operated
13 in this State pursuant to the laws of the United States.

14 (b) The Board may, directly or in cooperation with other
15 institutions of higher education, acquire by purchase or lease
16 or otherwise, and construct, enlarge, improve, equip,
17 complete, operate, control and manage research and high
18 technology parks, together with the necessary lands,
19 buildings, facilities, equipment, and personal property
20 therefor, to encourage and facilitate (i) the location and
21 development of business and industry in the State of Illinois,
22 and (ii) the increased application and development of
23 technology, and (iii) the improvement and development of the
24 State's economy. The Board may lease to nonprofit corporations
25 all or any part of the land, buildings, facilities, equipment
26 or other property included in a research and high technology

1 park upon such terms and conditions as the Board may deem
2 advisable and enter into any contract or agreement with such
3 nonprofit corporations as may be necessary or suitable for the
4 construction, financing, operation and maintenance and
5 management of any such park; and may lease to any person, firm,
6 partnership or corporation, either public or private, any part
7 or all of the land, building, facilities, equipment or other
8 property of such park for such purposes and upon such rentals,
9 terms and conditions as the Board may deem advisable; and may
10 finance all or part of the cost of any such park, including the
11 purchase, lease, construction, reconstruction, improvement,
12 remodeling, addition to, and extension and maintenance of all
13 or part of such high technology park, and all equipment and
14 furnishings, by legislative appropriations, government grants,
15 contracts, private gifts, loans, receipts from the operation of
16 such high technology park, rentals and similar receipts; and
17 may make its other facilities and services available to tenants
18 or other occupants of any such park at rates which are
19 reasonable and appropriate.

20 (c) The Board may sell the following described property
21 without compliance with the State Property Control Act and
22 retain the proceeds in the University treasury in a special,
23 separate development fund account that the Auditor General
24 shall examine to assure compliance with this Law:

25 Lots 511 and 512 in Heritage Woods V, Charleston, Coles
26 County, Illinois.

1 Revenues from the development fund account may be withdrawn by
2 the University for the purpose of upgrading the on-campus
3 formal reception facility. Moneys from the development fund
4 account used for any other purpose must be deposited into and
5 appropriated from the General Revenue Fund.

6 (Source: P.A. 91-251, eff. 7-22-99; 91-883, eff. 1-1-01.)

7 Section 25. The Governors State University Law is amended
8 by changing Section 15-45 as follows:

9 (110 ILCS 670/15-45)

10 Sec. 15-45. Powers and duties. The Board also shall have
11 power and it shall be its duty:

12 (1) To make rules, regulations and bylaws, not inconsistent
13 with law, for the government and management of Governors State
14 University and its branches;

15 (2) To employ, and, for good cause, to remove a President
16 of Governors State University, and all necessary deans,
17 professors, associate professors, assistant professors,
18 instructors, other educational and administrative assistants,
19 and all other necessary employees, and to prescribe their
20 duties and contract with them upon matters relating to tenure,
21 salaries and retirement benefits in accordance with the State
22 Universities Civil Service Act. Whenever the Board establishes
23 a search committee to fill the position of President of
24 Governors State University, there shall be minority

1 representation, including women, on that search committee. The
2 Board shall, upon the written request of an employee of
3 Governors State University, withhold from the compensation of
4 that employee any dues, payments or contributions payable by
5 such employee to any labor organization as defined in the
6 Illinois Educational Labor Relations Act. Under such
7 arrangement, an amount shall be withheld from each regular
8 payroll period which is equal to the pro rata share of the
9 annual dues plus any payments or contributions, and the Board
10 shall transmit such withholdings to the specified labor
11 organization within 10 working days from the time of the
12 withholding;

13 (3) To prescribe the courses of study to be followed, and
14 textbooks and apparatus to be used at Governors State
15 University;

16 (4) To issue upon the recommendation of the faculty,
17 diplomas to such persons as have satisfactorily completed the
18 required studies of Governors State University, and confer such
19 professional and literary degrees as are usually conferred by
20 other institutions of like character for similar or equivalent
21 courses of study, or such as the Board may deem appropriate;

22 (5) To examine into the conditions, management, and
23 administration of Governors State University, to provide the
24 requisite buildings, apparatus, equipment and auxiliary
25 enterprises, and to fix and collect matriculation fees; tuition
26 fees; fees for student activities; fees for student facilities

1 such as student union buildings or field houses or stadia or
2 other recreational facilities; student welfare fees;
3 laboratory fees; and similar fees for supplies and materials.
4 The expense of the building, improving, repairing and supplying
5 fuel and furniture and the necessary appliances and apparatus
6 for conducting Governors State University, the reimbursed
7 expenses of members of the Board, and the salaries or
8 compensation of the President, assistants, agents and other
9 employees of Governors State University, shall be a charge upon
10 the State Treasury. All other expenses shall be chargeable
11 against students, and the Board shall regulate the charges
12 accordingly;

13 (6) To succeed to and to administer all trusts, trust
14 property, and gifts now or hereafter belonging or pertaining to
15 Governors State University;

16 (7) To accept endowments of professorships or departments
17 in Governors State University from any person who may proffer
18 them and, at regular meetings, to prescribe rules and
19 regulations in relation to endowments and declare on what
20 general principles they may be accepted;

21 (8) To enter into contracts with the Federal government for
22 providing courses of instruction and other services at
23 Governors State University for persons serving in or with the
24 military or naval forces of the United States, and to provide
25 such courses of instruction and other services;

26 (9) To operate, maintain, and contract with respect to the

1 Cooperative Computer Center for its own purposes and to provide
2 services related to electronic data processing to other public
3 and private colleges and universities, to governmental
4 agencies, and to public or private not-for-profit agencies; and
5 to examine the conditions, management, and administration of
6 the Cooperative Computer Center;

7 (10) To provide for the receipt and expenditures of Federal
8 funds paid to Governors State University by the Federal
9 government for instruction and other services for persons
10 serving in or with the military or naval forces of the United
11 States, and to provide for audits of such funds;

12 (11) To appoint, subject to the applicable civil service
13 law, persons to be members of the Governors State University
14 Police Department. Members of the Police Department shall be
15 conservators of the peace and as such have all powers possessed
16 by policemen in cities, and sheriffs, including the power to
17 make arrests on view or warrants of violations of State
18 statutes, University rules and regulations and city or county
19 ordinances, except that they may exercise such powers only
20 within counties wherein Governors State University and any of
21 its branches or properties are located when such is required
22 for the protection of University properties and interests, and
23 its students and personnel, and otherwise, within such
24 counties, when requested by appropriate State or local law
25 enforcement officials. However, such officers shall have no
26 power to serve and execute civil processes.

1 The Board must authorize to each member of the Governors
2 State University Police Department and to any other employee of
3 Governors State University exercising the powers of a peace
4 officer a distinct badge that, on its face, (i) clearly states
5 that the badge is authorized by Governors State University and
6 (ii) contains a unique identifying number. No other badge shall
7 be authorized by Governors State University;

8 (12) The Board may, directly or in cooperation with other
9 institutions of higher education, acquire by purchase or lease
10 or otherwise, and construct, enlarge, improve, equip,
11 complete, operate, control and manage research and high
12 technology parks, together with the necessary lands,
13 buildings, facilities, equipment, and personal property
14 therefor, to encourage and facilitate (i) the location and
15 development of business and industry in the State of Illinois,
16 and (ii) the increased application and development of
17 technology, and (iii) the improvement and development of the
18 State's economy. The Board may lease to nonprofit corporations
19 all or any part of the land, buildings, facilities, equipment
20 or other property included in a research and high technology
21 park upon such terms and conditions as the Board may deem
22 advisable and enter into any contract or agreement with such
23 nonprofit corporations as may be necessary or suitable for the
24 construction, financing, operation and maintenance and
25 management of any such park; and may lease to any person, firm,
26 partnership or corporation, either public or private, any part

1 or all of the land, building, facilities, equipment or other
2 property of such park for such purposes and upon such rentals,
3 terms and conditions as the Board may deem advisable; and may
4 finance all or part of the cost of any such park, including the
5 purchase, lease, construction, reconstruction, improvement,
6 remodeling, addition to, and extension and maintenance of all
7 or part of such high technology park, and all equipment and
8 furnishings, by legislative appropriations, government grants,
9 contracts, private gifts, loans, receipts from the operation of
10 such high technology park, rentals and similar receipts; and
11 may make its other facilities and services available to tenants
12 or other occupants of any such park at rates which are
13 reasonable and appropriate; ~~and~~

14 (13) To borrow money, as necessary, from time to time in
15 anticipation of receiving tuition, payments from the State of
16 Illinois, or other revenues or receipts of the University, also
17 known as anticipated moneys. The borrowing limit shall be
18 capped at 100% of the total amount of payroll and other expense
19 vouchers submitted and payable to the University for fiscal
20 year 2010 expenses, but unpaid at the State Comptroller's
21 office. Prior to borrowing any funds, the University shall
22 request from the Comptroller's office a verification of the
23 borrowing limit and shall include the estimated date on which
24 such borrowing shall occur. The borrowing limit cap shall be
25 verified by State Comptroller's office not prior to 45 days
26 before any estimated date for executing any promissory note or

1 line of credit established under this item (13). The principal
2 amount borrowed under a promissory note or line of credit shall
3 not exceed 75% of the borrowing limit. Within 15 days after
4 borrowing funds under any promissory note or line of credit
5 established under this item (13), the University shall submit
6 to the Governor's Office of Management and Budget, the Speaker
7 of the House of Representatives, the Minority Leader of the
8 House of Representatives, the President of the Senate, and
9 Minority Leader of the Senate, an Emergency Short Term Cash
10 Management Plan. The Emergency Short Term Cash Management Plan
11 shall outline the amount borrowed, the terms for repayment, the
12 amount of outstanding State vouchers as verified by the State
13 Comptroller's office, and the University's plan for
14 expenditure of any borrowed funds, including, but not limited
15 to, a detailed plan to meet payroll obligations for all
16 collective bargaining employees, civil service employees, and
17 academic, research, and health care personnel. The
18 establishment of any promissory note or line of credit
19 established under this item (13) must be finalized within 90
20 days after the effective date of this amendatory Act of the
21 96th General Assembly. The borrowed moneys shall be applied to
22 the purposes of paying salaries and other expenses lawfully
23 authorized in the University's State appropriation and unpaid
24 by the State Comptroller. Any line of credit established under
25 this item (13) shall be paid in full one year after creation or
26 on such date as the University receives reimbursement from the

1 State for all submitted fiscal year 2010 vouchers, whichever is
2 earlier. Any promissory note established under this item (13)
3 shall be repaid within one year after issuance of the note. The
4 Chairman, Comptroller, or Treasurer of the Board shall execute
5 a promissory note or similar debt instrument to evidence the
6 indebtedness incurred by the borrowing. In connection with a
7 borrowing, the Board may establish a line of credit with a
8 financial institution, investment bank, or broker/dealer. The
9 obligation to make the payments due under any promissory note
10 or line of credit established under this item (13) shall be a
11 lawful obligation of the University payable from the
12 anticipated moneys. Any borrowing under this item (13) shall
13 not constitute a debt, legal or moral, of the State and shall
14 not be enforceable against the State. The line of credit shall
15 be authorized by a resolution passed by the Board and shall be
16 valid whether or not a budgeted item with respect to that
17 resolution is included in any annual or supplemental budget
18 adopted by the Board. The resolution shall set forth facts
19 demonstrating the need for the borrowing, state an amount that
20 the amount to be borrowed will not exceed, and establish a
21 maximum interest rate limit not to exceed the maximum rate
22 authorized by the Bond Authorization Act or 9%, whichever is
23 less. The resolution may direct the Comptroller or Treasurer of
24 the Board to make arrangements to set apart and hold the
25 portion of the anticipated moneys, as received, that shall be
26 used to repay the borrowing, subject to any prior pledges or

1 restrictions with respect to the anticipated moneys. The
2 resolution may also authorize the Treasurer of the Board to
3 make partial repayments of the borrowing as the anticipated
4 moneys become available and may contain any other terms,
5 restrictions, or limitations not inconsistent with the powers
6 of the Board.

7 For the purposes of this item (13), "financial institution"
8 means any bank subject to the Illinois Banking Act, any savings
9 and loan association subject to the Illinois Savings and Loan
10 Act of 1985, and any federally chartered commercial bank or
11 savings and loan association or government-sponsored
12 enterprise organized and operated in this State pursuant to the
13 laws of the United States.

14 (Source: P.A. 91-883, eff. 1-1-01.)

15 Section 30. The Illinois State University Law is amended by
16 changing Section 20-45 as follows:

17 (110 ILCS 675/20-45)

18 Sec. 20-45. Powers and duties. The Board also shall have
19 power and it shall be its duty:

20 (1) To make rules, regulations and bylaws, not inconsistent
21 with law, for the government and management of Illinois State
22 University and its branches;

23 (2) To employ, and, for good cause, to remove a President
24 of Illinois State University, and all necessary deans,

1 professors, associate professors, assistant professors,
2 instructors, other educational and administrative assistants,
3 and all other necessary employees, and to prescribe their
4 duties and contract with them upon matters relating to tenure,
5 salaries and retirement benefits in accordance with the State
6 Universities Civil Service Act. Whenever the Board establishes
7 a search committee to fill the position of President of
8 Illinois State University, there shall be minority
9 representation, including women, on that search committee. The
10 Board shall, upon the written request of an employee of
11 Illinois State University, withhold from the compensation of
12 that employee any dues, payments or contributions payable by
13 such employee to any labor organization as defined in the
14 Illinois Educational Labor Relations Act. Under such
15 arrangement, an amount shall be withheld from each regular
16 payroll period which is equal to the pro rata share of the
17 annual dues plus any payments or contributions, and the Board
18 shall transmit such withholdings to the specified labor
19 organization within 10 working days from the time of the
20 withholding;

21 (3) To prescribe the courses of study to be followed, and
22 textbooks and apparatus to be used at Illinois State
23 University;

24 (4) To issue upon the recommendation of the faculty,
25 diplomas to such persons as have satisfactorily completed the
26 required studies of Illinois State University, and confer such

1 professional and literary degrees as are usually conferred by
2 other institutions of like character for similar or equivalent
3 courses of study, or such as the Board may deem appropriate;

4 (5) To examine into the conditions, management, and
5 administration of Illinois State University, to provide the
6 requisite buildings, apparatus, equipment and auxiliary
7 enterprises, and to fix and collect matriculation fees; tuition
8 fees; fees for student activities; fees for student facilities
9 such as student union buildings or field houses or stadia or
10 other recreational facilities; student welfare fees;
11 laboratory fees; and similar fees for supplies and materials.
12 The expense of the building, improving, repairing and supplying
13 fuel and furniture and the necessary appliances and apparatus
14 for conducting Illinois State University, the reimbursed
15 expenses of members of the Board, and the salaries or
16 compensation of the President, assistants, agents and other
17 employees of Illinois State University, shall be a charge upon
18 the State Treasury. All other expenses shall be chargeable
19 against students, and the Board shall regulate the charges
20 accordingly;

21 (6) To succeed to and to administer all trusts, trust
22 property, and gifts now or hereafter belonging or pertaining to
23 Illinois State University;

24 (7) To accept endowments of professorships or departments
25 in Illinois State University from any person who may proffer
26 them and, at regular meetings, to prescribe rules and

1 regulations in relation to endowments and declare on what
2 general principles they may be accepted;

3 (8) To enter into contracts with the Federal government for
4 providing courses of instruction and other services at Illinois
5 State University for persons serving in or with the military or
6 naval forces of the United States, and to provide such courses
7 of instruction and other services;

8 (9) To contract with respect to the Cooperative Computer
9 Center to obtain services related to electronic data
10 processing;

11 (10) To provide for the receipt and expenditures of Federal
12 funds paid to Illinois State University by the Federal
13 government for instruction and other services for persons
14 serving in or with the military or naval forces of the United
15 States, and to provide for audits of such funds;

16 (11) To appoint, subject to the applicable civil service
17 law, persons to be members of the Illinois State University
18 Police Department. Members of the Police Department shall be
19 conservators of the peace and as such have all powers possessed
20 by policemen in cities, and sheriffs, including the power to
21 make arrests on view or warrants of violations of State
22 statutes, University rules and regulations and city or county
23 ordinances, except that they may exercise such powers only
24 within counties wherein Illinois State University and any of
25 its branches or properties are located when such is required
26 for the protection of University properties and interests, and

1 its students and personnel, and otherwise, within such
2 counties, when requested by appropriate State or local law
3 enforcement officials. However, such officers shall have no
4 power to serve and execute civil processes.

5 The Board must authorize to each member of the Illinois
6 State University Police Department and to any other employee of
7 Illinois State University exercising the powers of a peace
8 officer a distinct badge that, on its face, (i) clearly states
9 that the badge is authorized by Illinois State University and
10 (ii) contains a unique identifying number. No other badge shall
11 be authorized by Illinois State University;

12 (12) The Board may, directly or in cooperation with other
13 institutions of higher education, acquire by purchase or lease
14 or otherwise, and construct, enlarge, improve, equip,
15 complete, operate, control and manage research and high
16 technology parks, together with the necessary lands,
17 buildings, facilities, equipment, and personal property
18 therefor, to encourage and facilitate (i) the location and
19 development of business and industry in the State of Illinois,
20 and (ii) the increased application and development of
21 technology, and (iii) the improvement and development of the
22 State's economy. The Board may lease to nonprofit corporations
23 all or any part of the land, buildings, facilities, equipment
24 or other property included in a research and high technology
25 park upon such terms and conditions as the Board may deem
26 advisable and enter into any contract or agreement with such

1 nonprofit corporations as may be necessary or suitable for the
2 construction, financing, operation and maintenance and
3 management of any such park; and may lease to any person, firm,
4 partnership or corporation, either public or private, any part
5 or all of the land, building, facilities, equipment or other
6 property of such park for such purposes and upon such rentals,
7 terms and conditions as the Board may deem advisable; and may
8 finance all or part of the cost of any such park, including the
9 purchase, lease, construction, reconstruction, improvement,
10 remodeling, addition to, and extension and maintenance of all
11 or part of such high technology park, and all equipment and
12 furnishings, by legislative appropriations, government grants,
13 contracts, private gifts, loans, receipts from the operation of
14 such high technology park, rentals and similar receipts; and
15 may make its other facilities and services available to tenants
16 or other occupants of any such park at rates which are
17 reasonable and appropriate;

18 (13) To assist in the provision of lands, buildings, and
19 facilities that are supportive of university purposes and
20 suitable and appropriate for the conduct and operation of the
21 university's education programs, the Board of Trustees of
22 Illinois State University may exercise the powers specified in
23 subparagraphs (a), (b), and (c) of this paragraph (13) with
24 regard to the following described property located near the
25 Normal, Illinois campus of Illinois State University:

26 Parcel 1: Approximately 300 acres that form a part of the

1 Illinois State University Farm in Section 20, Township 24
2 North, Range 2 East of the Third Principal Meridian in
3 McLean County, Illinois.

4 Parcels 2 and 3: Lands located in the Northeast Quadrant of
5 the City of Normal in McLean County, Illinois, one such
6 parcel consisting of approximately 150 acres located north
7 and east of the old Illinois Soldiers and Sailors
8 Children's School campus, and another such parcel, located
9 in the Northeast Quadrant of the old Soldiers and Sailors
10 Children's School Campus, consisting of approximately
11 1.03.

12 (a) The Board of Trustees may sell, lease, or otherwise
13 transfer and convey all or part of the above described
14 parcels of real estate, together with the improvements
15 situated thereon, to a bona fide purchaser for value,
16 without compliance with the State Property Control Act and
17 on such terms as the Board of Trustees shall determine are
18 in the best interests of Illinois State University and
19 consistent with its objects and purposes.

20 (b) The Board of Trustees may retain the proceeds from
21 the sale, lease, or other transfer of all or any part of
22 the above described parcels of real estate in the
23 University treasury, in a special, separate development
24 fund account that the Auditor General shall examine to
25 assure the use or deposit of those proceeds in a manner
26 consistent with the provisions of subparagraph (c) of this

1 paragraph (13).

2 (c) Moneys from the development fund account may be
3 used by the Board of Trustees of Illinois State University
4 to acquire and develop other land to achieve the same
5 purposes for which the parcels of real estate described in
6 this item (13), all or a part of which have been sold,
7 leased, or otherwise transferred and conveyed, were used
8 and for the purpose of demolition and the processes
9 associated with demolition on the acquired land. Moneys
10 from the development fund account used for any other
11 purpose must be deposited into and appropriated from the
12 General Revenue Fund. Buildings or facilities leased to an
13 entity or person other than the University shall not be
14 subject to any limitations applicable to a State-supported
15 college or university under any law. All development on the
16 land and all the use of any buildings or facilities shall
17 be subject to the control and approval of the Board of
18 Trustees of Illinois State University;

19 (14) To borrow money, as necessary, from time to time in
20 anticipation of receiving tuition, payments from the State of
21 Illinois, or other revenues or receipts of the University, also
22 known as anticipated moneys. The borrowing limit shall be
23 capped at 100% of the total amount of payroll and other expense
24 vouchers submitted and payable to the University for fiscal
25 year 2010 expenses, but unpaid at the State Comptroller's
26 office. Prior to borrowing any funds, the University shall

1 request from the Comptroller's office a verification of the
2 borrowing limit and shall include the estimated date on which
3 such borrowing shall occur. The borrowing limit cap shall be
4 verified by State Comptroller's office not prior to 45 days
5 before any estimated date for executing any promissory note or
6 line of credit established under this item (14). The principal
7 amount borrowed under a promissory note or line of credit shall
8 not exceed 75% of the borrowing limit. Within 15 days after
9 borrowing funds under any promissory note or line of credit
10 established under this item (14), the University shall submit
11 to the Governor's Office of Management and Budget, the Speaker
12 of the House of Representatives, the Minority Leader of the
13 House of Representatives, the President of the Senate, and
14 Minority Leader of the Senate, an Emergency Short Term Cash
15 Management Plan. The Emergency Short Term Cash Management Plan
16 shall outline the amount borrowed, the terms for repayment, the
17 amount of outstanding State vouchers as verified by the State
18 Comptroller's office, and the University's plan for
19 expenditure of any borrowed funds, including, but not limited
20 to, a detailed plan to meet payroll obligations to include
21 collective bargaining employees, civil service employees, and
22 academic, research, and health care personnel. The
23 establishment of any promissory note or line of credit
24 established under this item (14) must be finalized within 90
25 days after the effective date of this amendatory Act of the
26 96th General Assembly. The borrowed moneys shall be applied to

1 the purposes of paying salaries and other expenses lawfully
2 authorized in the University's State appropriation and unpaid
3 by the State Comptroller. Any line of credit established under
4 this item (14) shall be paid in full one year after creation or
5 within 10 days after the date the University receives
6 reimbursement from the State for all submitted fiscal year 2010
7 vouchers, whichever is earlier. Any promissory note
8 established under this item (14) shall be repaid within one
9 year after issuance of the note. The Chairman, Comptroller, or
10 Treasurer of the Board shall execute a promissory note or
11 similar debt instrument to evidence the indebtedness incurred
12 by the borrowing. In connection with a borrowing, the Board may
13 establish a line of credit with a financial institution,
14 investment bank, or broker/dealer. The obligation to make the
15 payments due under any promissory note or line of credit
16 established under this item (14) shall be a lawful obligation
17 of the University payable from the anticipated moneys. Any
18 borrowing under this item (14) shall not constitute a debt,
19 legal or moral, of the State and shall not be enforceable
20 against the State. The promissory note or line of credit shall
21 be authorized by a resolution passed by the Board and shall be
22 valid whether or not a budgeted item with respect to that
23 resolution is included in any annual or supplemental budget
24 adopted by the Board. The resolution shall set forth facts
25 demonstrating the need for the borrowing, state an amount that
26 the amount to be borrowed will not exceed, and establish a

1 maximum interest rate limit not to exceed the maximum rate
2 authorized by the Bond Authorization Act or 9%, whichever is
3 less. The resolution may direct the Comptroller or Treasurer of
4 the Board to make arrangements to set apart and hold the
5 portion of the anticipated moneys, as received, that shall be
6 used to repay the borrowing, subject to any prior pledges or
7 restrictions with respect to the anticipated moneys. The
8 resolution may also authorize the Treasurer of the Board to
9 make partial repayments of the borrowing as the anticipated
10 moneys become available and may contain any other terms,
11 restrictions, or limitations not inconsistent with the powers
12 of the Board.

13 For the purposes of this item (14), "financial institution"
14 means any bank subject to the Illinois Banking Act, any savings
15 and loan association subject to the Illinois Savings and Loan
16 Act of 1985, and any federally chartered commercial bank or
17 savings and loan association or government-sponsored
18 enterprise organized and operated in this State pursuant to the
19 laws of the United States.

20 (Source: P.A. 91-396, eff. 7-30-99; 91-883, eff. 1-1-01.)

21 Section 33. The Northeastern Illinois University Law is
22 amended by changing Section 25-45 as follows:

23 (110 ILCS 680/25-45)

24 Sec. 25-45. Powers and duties. The Board also shall have

1 power and it shall be its duty:

2 (1) To make rules, regulations and bylaws, not inconsistent
3 with law, for the government and management of Northeastern
4 Illinois University and its branches;

5 (2) To employ, and, for good cause, to remove a President
6 of Northeastern Illinois University, and all necessary deans,
7 professors, associate professors, assistant professors,
8 instructors, other educational and administrative assistants,
9 and all other necessary employees, and to prescribe their
10 duties and contract with them upon matters relating to tenure,
11 salaries and retirement benefits in accordance with the State
12 Universities Civil Service Act. Whenever the Board establishes
13 a search committee to fill the position of President of
14 Northeastern Illinois University, there shall be minority
15 representation, including women, on that search committee. The
16 Board shall, upon the written request of an employee of
17 Northeastern Illinois University, withhold from the
18 compensation of that employee any dues, payments or
19 contributions payable by such employee to any labor
20 organization as defined in the Illinois Educational Labor
21 Relations Act. Under such arrangement, an amount shall be
22 withheld from each regular payroll period which is equal to the
23 pro rata share of the annual dues plus any payments or
24 contributions, and the Board shall transmit such withholdings
25 to the specified labor organization within 10 working days from
26 the time of the withholding;

1 (3) To prescribe the courses of study to be followed, and
2 textbooks and apparatus to be used at Northeastern Illinois
3 University;

4 (4) To issue upon the recommendation of the faculty,
5 diplomas to such persons as have satisfactorily completed the
6 required studies of Northeastern Illinois University, and
7 confer such professional and literary degrees as are usually
8 conferred by other institutions of like character for similar
9 or equivalent courses of study, or such as the Board may deem
10 appropriate;

11 (5) To examine into the conditions, management, and
12 administration of Northeastern Illinois University, to provide
13 the requisite buildings, apparatus, equipment and auxiliary
14 enterprises, and to fix and collect matriculation fees; tuition
15 fees; fees for student activities; fees for student facilities
16 such as student union buildings or field houses or stadia or
17 other recreational facilities; student welfare fees;
18 laboratory fees; and similar fees for supplies and materials.
19 The expense of the building, improving, repairing and supplying
20 fuel and furniture and the necessary appliances and apparatus
21 for conducting Northeastern Illinois University, the
22 reimbursed expenses of members of the Board, and the salaries
23 or compensation of the President, assistants, agents and other
24 employees of Northeastern Illinois University, shall be a
25 charge upon the State Treasury. All other expenses shall be
26 chargeable against students, and the Board shall regulate the

1 charges accordingly;

2 (6) To succeed to and to administer all trusts, trust
3 property, and gifts now or hereafter belonging or pertaining to
4 Northeastern Illinois University;

5 (7) To accept endowments of professorships or departments
6 in Northeastern Illinois University from any person who may
7 proffer them and, at regular meetings, to prescribe rules and
8 regulations in relation to endowments and declare on what
9 general principles they may be accepted;

10 (8) To enter into contracts with the Federal government for
11 providing courses of instruction and other services at
12 Northeastern Illinois University for persons serving in or with
13 the military or naval forces of the United States, and to
14 provide such courses of instruction and other services;

15 (9) To contract with respect to the Cooperative Computer
16 Center to obtain services related to electronic data
17 processing;

18 (10) To provide for the receipt and expenditures of Federal
19 funds paid to Northeastern Illinois University by the Federal
20 government for instruction and other services for persons
21 serving in or with the military or naval forces of the United
22 States, and to provide for audits of such funds;

23 (11) To appoint, subject to the applicable civil service
24 law, persons to be members of the Northeastern Illinois
25 University Police Department. Members of the Police Department
26 shall be conservators of the peace and as such have all powers

1 possessed by policemen in cities, and sheriffs, including the
2 power to make arrests on view or warrants of violations of
3 State statutes, University rules and regulations and city or
4 county ordinances, except that they may exercise such powers
5 only within counties wherein Northeastern Illinois University
6 and any of its branches or properties are located when such is
7 required for the protection of University properties and
8 interests, and its students and personnel, and otherwise,
9 within such counties, when requested by appropriate State or
10 local law enforcement officials. However, such officers shall
11 have no power to serve and execute civil processes.

12 The Board must authorize to each member of the Northeastern
13 Illinois University Police Department and to any other employee
14 of Northeastern Illinois University exercising the powers of a
15 peace officer a distinct badge that, on its face, (i) clearly
16 states that the badge is authorized by Northeastern Illinois
17 University and (ii) contains a unique identifying number. No
18 other badge shall be authorized by Northeastern Illinois
19 University;

20 (12) The Board may, directly or in cooperation with other
21 institutions of higher education, acquire by purchase or lease
22 or otherwise, and construct, enlarge, improve, equip,
23 complete, operate, control and manage research and high
24 technology parks, together with the necessary lands,
25 buildings, facilities, equipment, and personal property
26 therefor, to encourage and facilitate (i) the location and

1 development of business and industry in the State of Illinois,
2 and (ii) the increased application and development of
3 technology, and (iii) the improvement and development of the
4 State's economy. The Board may lease to nonprofit corporations
5 all or any part of the land, buildings, facilities, equipment
6 or other property included in a research and high technology
7 park upon such terms and conditions as the Board may deem
8 advisable and enter into any contract or agreement with such
9 nonprofit corporations as may be necessary or suitable for the
10 construction, financing, operation and maintenance and
11 management of any such park; and may lease to any person, firm,
12 partnership or corporation, either public or private, any part
13 or all of the land, building, facilities, equipment or other
14 property of such park for such purposes and upon such rentals,
15 terms and conditions as the Board may deem advisable; and may
16 finance all or part of the cost of any such park, including the
17 purchase, lease, construction, reconstruction, improvement,
18 remodeling, addition to, and extension and maintenance of all
19 or part of such high technology park, and all equipment and
20 furnishings, by legislative appropriations, government grants,
21 contracts, private gifts, loans, receipts from the operation of
22 such high technology park, rentals and similar receipts; and
23 may make its other facilities and services available to tenants
24 or other occupants of any such park at rates which are
25 reasonable and appropriate; ~~and~~

26 (13) To borrow money, as necessary, from time to time in

1 anticipation of receiving tuition, payments from the State of
2 Illinois, or other revenues or receipts of the University, also
3 known as anticipated moneys. The borrowing limit shall be
4 capped at 100% of the total amount of payroll and other expense
5 vouchers submitted and payable to the University for fiscal
6 year 2010 expenses, but unpaid at the State Comptroller's
7 office. Prior to borrowing any funds, the University shall
8 request from the Comptroller's office a verification of the
9 borrowing limit and shall include the estimated date on which
10 such borrowing shall occur. The borrowing limit cap shall be
11 verified by State Comptroller's office not prior to 45 days
12 before any estimated date for executing any promissory note or
13 line of credit established under this item (13). The principal
14 amount borrowed under a promissory note or line of credit shall
15 not exceed 75% of the borrowing limit. Within 15 days after
16 borrowing funds under any promissory note or line of credit
17 established under this item (13), the University shall submit
18 to the Governor's Office of Management and Budget, the Speaker
19 of the House of Representatives, the Minority Leader of the
20 House of Representatives, the President of the Senate, and
21 Minority Leader of the Senate, an Emergency Short Term Cash
22 Management Plan. The Emergency Short Term Cash Management Plan
23 shall outline the amount borrowed, the terms for repayment, the
24 amount of outstanding State vouchers as verified by the State
25 Comptroller's office, and the University's plan for
26 expenditure of any borrowed funds, including, but not limited

1 to, a detailed plan to meet payroll obligations to include
2 collective bargaining employees, civil service employees, and
3 academic, research, and health care personnel. The
4 establishment of any promissory note or line of credit
5 established under this item (13) must be finalized within 90
6 days after the effective date of this amendatory Act of the
7 96th General Assembly. The borrowed moneys shall be applied to
8 the purposes of paying salaries and other expenses lawfully
9 authorized in the University's State appropriation and unpaid
10 by the State Comptroller. Any line of credit established under
11 this item (13) shall be paid in full one year after creation or
12 within 10 days after the date the University receives
13 reimbursement from the State for all submitted fiscal year 2010
14 vouchers, whichever is earlier. Any promissory note
15 established under this item (13) shall be repaid within one
16 year after issuance of the note. The Chairman, Comptroller, or
17 Treasurer of the Board shall execute a promissory note or
18 similar debt instrument to evidence the indebtedness incurred
19 by the borrowing. In connection with a borrowing, the Board may
20 establish a line of credit with a financial institution,
21 investment bank, or broker/dealer. The obligation to make the
22 payments due under any promissory note or line of credit
23 established under this item (13) shall be a lawful obligation
24 of the University payable from the anticipated moneys. Any
25 borrowing under this item (13) shall not constitute a debt,
26 legal or moral, of the State and shall not be enforceable

1 against the State. The promissory note or line of credit shall
2 be authorized by a resolution passed by the Board and shall be
3 valid whether or not a budgeted item with respect to that
4 resolution is included in any annual or supplemental budget
5 adopted by the Board. The resolution shall set forth facts
6 demonstrating the need for the borrowing, state an amount that
7 the amount to be borrowed will not exceed, and establish a
8 maximum interest rate limit not to exceed the maximum rate
9 authorized by the Bond Authorization Act or 9%, whichever is
10 less. The resolution may direct the Comptroller or Treasurer of
11 the Board to make arrangements to set apart and hold the
12 portion of the anticipated moneys, as received, that shall be
13 used to repay the borrowing, subject to any prior pledges or
14 restrictions with respect to the anticipated moneys. The
15 resolution may also authorize the Treasurer of the Board to
16 make partial repayments of the borrowing as the anticipated
17 moneys become available and may contain any other terms,
18 restrictions, or limitations not inconsistent with the powers
19 of the Board.

20 For the purposes of this item (13), "financial institution"
21 means any bank subject to the Illinois Banking Act, any savings
22 and loan association subject to the Illinois Savings and Loan
23 Act of 1985, and any federally chartered commercial bank or
24 savings and loan association or government-sponsored
25 enterprise organized and operated in this State pursuant to the
26 laws of the United States.

1 (Source: P.A. 91-883, eff. 1-1-01.)

2 Section 35. The Northern Illinois University Law is amended
3 by changing Section 30-45 as follows:

4 (110 ILCS 685/30-45)

5 Sec. 30-45. Powers and duties. The Board also shall have
6 power and it shall be its duty:

7 (1) To make rules, regulations and bylaws, not inconsistent
8 with law, for the government and management of Northern
9 Illinois University and its branches;

10 (2) To employ, and, for good cause, to remove a President
11 of Northern Illinois University, and all necessary deans,
12 professors, associate professors, assistant professors,
13 instructors, other educational and administrative assistants,
14 and all other necessary employees, and to prescribe their
15 duties and contract with them upon matters relating to tenure,
16 salaries and retirement benefits in accordance with the State
17 Universities Civil Service Act. Whenever the Board establishes
18 a search committee to fill the position of President of
19 Northern Illinois University, there shall be minority
20 representation, including women, on that search committee. The
21 Board shall, upon the written request of an employee of
22 Northern Illinois University, withhold from the compensation
23 of that employee any dues, payments or contributions payable by
24 such employee to any labor organization as defined in the

1 Illinois Educational Labor Relations Act. Under such
2 arrangement, an amount shall be withheld from each regular
3 payroll period which is equal to the pro rata share of the
4 annual dues plus any payments or contributions, and the Board
5 shall transmit such withholdings to the specified labor
6 organization within 10 working days from the time of the
7 withholding;

8 (3) To prescribe the courses of study to be followed, and
9 textbooks and apparatus to be used at Northern Illinois
10 University;

11 (4) To issue upon the recommendation of the faculty,
12 diplomas to such persons as have satisfactorily completed the
13 required studies of Northern Illinois University, and confer
14 such professional and literary degrees as are usually conferred
15 by other institutions of like character for similar or
16 equivalent courses of study, or such as the Board may deem
17 appropriate;

18 (5) To examine into the conditions, management, and
19 administration of Northern Illinois University, to provide the
20 requisite buildings, apparatus, equipment and auxiliary
21 enterprises, and to fix and collect matriculation fees; tuition
22 fees; fees for student activities; fees for student facilities
23 such as student union buildings or field houses or stadia or
24 other recreational facilities; student welfare fees;
25 laboratory fees; and similar fees for supplies and materials.
26 The expense of the building, improving, repairing and supplying

1 fuel and furniture and the necessary appliances and apparatus
2 for conducting Northern Illinois University, the reimbursed
3 expenses of members of the Board, and the salaries or
4 compensation of the President, assistants, agents and other
5 employees of Northern Illinois University, shall be a charge
6 upon the State Treasury. All other expenses shall be chargeable
7 against students, and the Board shall regulate the charges
8 accordingly;

9 (6) To succeed to and to administer all trusts, trust
10 property, and gifts now or hereafter belonging or pertaining to
11 Northern Illinois University;

12 (7) To accept endowments of professorships or departments
13 in Northern Illinois University from any person who may proffer
14 them and, at regular meetings, to prescribe rules and
15 regulations in relation to endowments and declare on what
16 general principles they may be accepted;

17 (8) To enter into contracts with the Federal government for
18 providing courses of instruction and other services at Northern
19 Illinois University for persons serving in or with the military
20 or naval forces of the United States, and to provide such
21 courses of instruction and other services;

22 (9) To contract with respect to the Cooperative Computer
23 Center to obtain services related to electronic data
24 processing;

25 (10) To provide for the receipt and expenditures of Federal
26 funds paid to Northern Illinois University by the Federal

1 government for instruction and other services for persons
2 serving in or with the military or naval forces of the United
3 States, and to provide for audits of such funds;

4 (11) To appoint, subject to the applicable civil service
5 law, persons to be members of the Northern Illinois University
6 Police Department. Members of the Police Department shall be
7 conservators of the peace and as such have all powers possessed
8 by policemen in cities, and sheriffs, including the power to
9 make arrests on view or warrants of violations of State
10 statutes, University rules and regulations and city or county
11 ordinances, except that they may exercise such powers only
12 within counties wherein Northern Illinois University and any of
13 its branches or properties are located when such is required
14 for the protection of University properties and interests, and
15 its students and personnel, and otherwise, within such
16 counties, when requested by appropriate State or local law
17 enforcement officials. However, such officers shall have no
18 power to serve and execute civil processes.

19 The Board must authorize to each member of the Northern
20 Illinois University Police Department and to any other employee
21 of Northern Illinois University exercising the powers of a
22 peace officer a distinct badge that, on its face, (i) clearly
23 states that the badge is authorized by Northern Illinois
24 University and (ii) contains a unique identifying number. No
25 other badge shall be authorized by Northern Illinois
26 University;

1 (12) The Board may, directly or in cooperation with other
2 institutions of higher education, acquire by purchase or lease
3 or otherwise, and construct, enlarge, improve, equip,
4 complete, operate, control and manage research and high
5 technology parks, together with the necessary lands,
6 buildings, facilities, equipment, and personal property
7 therefor, to encourage and facilitate (i) the location and
8 development of business and industry in the State of Illinois,
9 and (ii) the increased application and development of
10 technology, and (iii) the improvement and development of the
11 State's economy. The Board may lease to nonprofit corporations
12 all or any part of the land, buildings, facilities, equipment
13 or other property included in a research and high technology
14 park upon such terms and conditions as the Board may deem
15 advisable and enter into any contract or agreement with such
16 nonprofit corporations as may be necessary or suitable for the
17 construction, financing, operation and maintenance and
18 management of any such park; and may lease to any person, firm,
19 partnership or corporation, either public or private, any part
20 or all of the land, building, facilities, equipment or other
21 property of such park for such purposes and upon such rentals,
22 terms and conditions as the Board may deem advisable; and may
23 finance all or part of the cost of any such park, including the
24 purchase, lease, construction, reconstruction, improvement,
25 remodeling, addition to, and extension and maintenance of all
26 or part of such high technology park, and all equipment and

1 furnishings, by legislative appropriations, government grants,
2 contracts, private gifts, loans, receipts from the operation of
3 such high technology park, rentals and similar receipts; and
4 may make its other facilities and services available to tenants
5 or other occupants of any such park at rates which are
6 reasonable and appropriate.

7 (13) To assist in the provision of buildings and facilities
8 beneficial to, useful for, or supportive of university
9 purposes, the Board of Trustees of Northern Illinois University
10 may exercise the following powers with regard to the area
11 located on or adjacent to the Northern Illinois University
12 DeKalb campus and bounded as follows:

13 Parcel 1:

14 In Township 40 North, Range 4 East, of the Third Prime
15 Meridian, County of DeKalb, State of Illinois: The East
16 half of the Southeast Quarter of Section 17, the Southwest
17 Quarter of Section 16, and the Northwest Quarter of Section
18 21, all in the County of DeKalb, Illinois.

19 Parcel 2:

20 In Township 40 North, Range 4 East, of the Third Prime
21 Meridian, County of DeKalb, State of Illinois: On the
22 North, by a line beginning at the Northwest corner of the
23 Southeast Quarter of Section 15; thence East 1,903.3 feet;
24 thence South to the North line of the Southeast Quarter of
25 the Southeast Quarter of Section 15; thence East along said
26 line to North First Street; on the West by Garden Road

1 between Lucinda Avenue and the North boundary; thence on
2 the South by Lucinda Avenue between Garden Road and the
3 intersection of Lucinda Avenue and the South Branch of the
4 Kishwaukee River, and by the South Branch of the Kishwaukee
5 River between such intersection and easterly to the
6 intersection of such river and North First Street; thence
7 on the East by North First Street.

8 (a) Acquire any interests in land, buildings, or
9 facilities by purchase, including installments payable
10 over a period allowed by law, by lease over a term of such
11 duration as the Board of Trustees shall determine, or by
12 exercise of the power of eminent domain;

13 (b) Sublease or contract to purchase through
14 installments all or any portion of buildings or facilities
15 for such duration and on such terms as the Board of
16 Trustees shall determine, including a term that exceeds 5
17 years, provided that each such lease or purchase contract
18 shall be and shall recite that it is subject to termination
19 and cancellation in any year for which the General Assembly
20 fails to make an appropriation to pay the rent or purchase
21 installments payable under the terms of such lease or
22 purchase contracts; and

23 (c) Sell property without compliance with the State
24 Property Control Act and retain proceeds in the University
25 treasury in a special, separate development fund account
26 which the Auditor General shall examine to assure

1 compliance with this Act.

2 Any buildings or facilities to be developed on the land
3 shall be buildings or facilities that, in the determination of
4 the Board of Trustees, in whole or in part: (i) are for use by
5 the University; or (ii) otherwise advance the interests of the
6 University, including, by way of example, residential,
7 recreational, educational, and athletic facilities for
8 University staff and students and commercial facilities which
9 provide services needed by the University community. Revenues
10 from the development fund account may be withdrawn by the
11 University for the purpose of demolition and the processes
12 associated with demolition; routine land and property
13 acquisition; extension of utilities; streetscape work;
14 landscape work; surface and structure parking; sidewalks,
15 recreational paths, and street construction; and lease and
16 lease purchase arrangements and the professional services
17 associated with the planning and development of the area.
18 Moneys from the development fund account used for any other
19 purpose must be deposited into and appropriated from the
20 General Revenue Fund. Buildings or facilities leased to an
21 entity or person other than the University shall not be subject
22 to any limitations applicable to a State-supported college or
23 university under any law. All development on the land and all
24 the use of any buildings or facilities shall be subject to the
25 control and approval of the Board of Trustees of Northern
26 Illinois University.

1 (14) To borrow money, as necessary, from time to time in
2 anticipation of receiving tuition, payments from the State of
3 Illinois, or other revenues or receipts of the University, also
4 known as anticipated moneys. The borrowing limit shall be
5 capped at 100% of the total amount of payroll and other expense
6 vouchers submitted and payable to the University for fiscal
7 year 2010 expenses, but unpaid at the State Comptroller's
8 office. Prior to borrowing any funds, the University shall
9 request from the Comptroller's office a verification of the
10 borrowing limit and shall include the estimated date on which
11 such borrowing shall occur. The borrowing limit cap shall be
12 verified by State Comptroller's office not prior to 45 days
13 before any estimated date for executing any promissory note or
14 line of credit established under this item (14). The principal
15 amount borrowed under a promissory note or line of credit shall
16 not exceed 75% of the borrowing limit. Within 15 days after
17 borrowing funds under any promissory note or line of credit
18 established under this item (14), the University shall submit
19 to the Governor's Office of Management and Budget, the Speaker
20 of the House of Representatives, the Minority Leader of the
21 House of Representatives, the President of the Senate, and
22 Minority Leader of the Senate, an Emergency Short Term Cash
23 Management Plan. The Emergency Short Term Cash Management Plan
24 shall outline the amount borrowed, the terms for repayment, the
25 amount of outstanding State vouchers as verified by the State
26 Comptroller's office, and the University's plan for

1 expenditure of any borrowed funds, including, but not limited
2 to, a detailed plan to meet payroll obligations for all
3 collective bargaining employees, civil service employees, and
4 academic, research, and health care personnel. The
5 establishment of any promissory note or line of credit
6 established under this item (14) must be finalized within 90
7 days after the effective date of this amendatory Act of the
8 96th General Assembly. The borrowed moneys shall be applied to
9 the purposes of paying salaries and other expenses lawfully
10 authorized in the University's State appropriation and unpaid
11 by the State Comptroller. Any line of credit established under
12 this item (14) shall be paid in full one year after creation or
13 within 10 days after the date the University receives
14 reimbursement from the State for all submitted fiscal year 2010
15 vouchers, whichever is earlier. Any promissory note
16 established under this item (14) shall be repaid within one
17 year after issuance of the note. The Chairman, Comptroller, or
18 Treasurer of the Board shall execute a promissory note or
19 similar debt instrument to evidence the indebtedness incurred
20 by the borrowing. In connection with a borrowing, the Board may
21 establish a line of credit with a financial institution,
22 investment bank, or broker/dealer. The obligation to make the
23 payments due under any promissory note or line of credit
24 established under this item (14) shall be a lawful obligation
25 of the University payable from the anticipated moneys. Any
26 borrowing under this item (14) shall not constitute a debt,

1 legal or moral, of the State and shall not be enforceable
2 against the State. The promissory note or line of credit shall
3 be authorized by a resolution passed by the Board and shall be
4 valid whether or not a budgeted item with respect to that
5 resolution is included in any annual or supplemental budget
6 adopted by the Board. The resolution shall set forth facts
7 demonstrating the need for the borrowing, state an amount that
8 the amount to be borrowed will not exceed, and establish a
9 maximum interest rate limit not to exceed the maximum rate
10 authorized by the Bond Authorization Act or 9%, whichever is
11 less. The resolution may direct the Comptroller or Treasurer of
12 the Board to make arrangements to set apart and hold the
13 portion of the anticipated moneys, as received, that shall be
14 used to repay the borrowing, subject to any prior pledges or
15 restrictions with respect to the anticipated moneys. The
16 resolution may also authorize the Treasurer of the Board to
17 make partial repayments of the borrowing as the anticipated
18 moneys become available and may contain any other terms,
19 restrictions, or limitations not inconsistent with the powers
20 of the Board.

21 For the purposes of this item (14), "financial institution"
22 means any bank subject to the Illinois Banking Act, any savings
23 and loan association subject to the Illinois Savings and Loan
24 Act of 1985, and any federally chartered commercial bank or
25 savings and loan association or government-sponsored
26 enterprise organized and operated in this State pursuant to the

1 laws of the United States.

2 (Source: P.A. 90-284, eff. 1-1-98; 91-883, eff. 1-1-01.)

3 Section 40. The Western Illinois University Law is amended
4 by changing Section 35-45 as follows:

5 (110 ILCS 690/35-45)

6 Sec. 35-45. Powers and duties. The Board also shall have
7 power and it shall be its duty:

8 (1) To make rules, regulations and bylaws, not inconsistent
9 with law, for the government and management of Western Illinois
10 University and its branches;

11 (2) To employ, and, for good cause, to remove a President
12 of Western Illinois University, and all necessary deans,
13 professors, associate professors, assistant professors,
14 instructors, other educational and administrative assistants,
15 and all other necessary employees, and to prescribe their
16 duties and contract with them upon matters relating to tenure,
17 salaries and retirement benefits in accordance with the State
18 Universities Civil Service Act. Whenever the Board establishes
19 a search committee to fill the position of President of Western
20 Illinois University, there shall be minority representation,
21 including women, on that search committee. The Board shall,
22 upon the written request of an employee of Western Illinois
23 University, withhold from the compensation of that employee any
24 dues, payments or contributions payable by such employee to any

1 labor organization as defined in the Illinois Educational Labor
2 Relations Act. Under such arrangement, an amount shall be
3 withheld from each regular payroll period which is equal to the
4 pro rata share of the annual dues plus any payments or
5 contributions, and the Board shall transmit such withholdings
6 to the specified labor organization within 10 working days from
7 the time of the withholding;

8 (3) To prescribe the courses of study to be followed, and
9 textbooks and apparatus to be used at Western Illinois
10 University;

11 (4) To issue upon the recommendation of the faculty,
12 diplomas to such persons as have satisfactorily completed the
13 required studies of Western Illinois University, and confer
14 such professional and literary degrees as are usually conferred
15 by other institutions of like character for similar or
16 equivalent courses of study, or such as the Board may deem
17 appropriate;

18 (5) To examine into the conditions, management, and
19 administration of Western Illinois University, to provide the
20 requisite buildings, apparatus, equipment and auxiliary
21 enterprises, and to fix and collect matriculation fees; tuition
22 fees; fees for student activities; fees for student facilities
23 such as student union buildings or field houses or stadia or
24 other recreational facilities; student welfare fees;
25 laboratory fees; and similar fees for supplies and materials.
26 The expense of the building, improving, repairing and supplying

1 fuel and furniture and the necessary appliances and apparatus
2 for conducting Western Illinois University, the reimbursed
3 expenses of members of the Board, and the salaries or
4 compensation of the President, assistants, agents and other
5 employees of Western Illinois University, shall be a charge
6 upon the State Treasury. All other expenses shall be chargeable
7 against students, and the Board shall regulate the charges
8 accordingly;

9 (6) To succeed to and to administer all trusts, trust
10 property, and gifts now or hereafter belonging or pertaining to
11 Western Illinois University;

12 (7) To accept endowments of professorships or departments
13 in Western Illinois University from any person who may proffer
14 them and, at regular meetings, to prescribe rules and
15 regulations in relation to endowments and declare on what
16 general principles they may be accepted;

17 (8) To enter into contracts with the Federal government for
18 providing courses of instruction and other services at Western
19 Illinois University for persons serving in or with the military
20 or naval forces of the United States, and to provide such
21 courses of instruction and other services;

22 (9) To contract with respect to the Cooperative Computer
23 Center to obtain services related to electronic data
24 processing;

25 (10) To provide for the receipt and expenditures of Federal
26 funds paid to Western Illinois University by the Federal

1 government for instruction and other services for persons
2 serving in or with the military or naval forces of the United
3 States, and to provide for audits of such funds;

4 (11) To appoint, subject to the applicable civil service
5 law, persons to be members of the Western Illinois University
6 Police Department. Members of the Police Department shall be
7 conservators of the peace and as such have all powers possessed
8 by policemen in cities, and sheriffs, including the power to
9 make arrests on view or warrants of violations of State
10 statutes, University rules and regulations and city or county
11 ordinances, except that they may exercise such powers only
12 within counties wherein Western Illinois University and any of
13 its branches or properties are located when such is required
14 for the protection of University properties and interests, and
15 its students and personnel, and otherwise, within such
16 counties, when requested by appropriate State or local law
17 enforcement officials. However, such officers shall have no
18 power to serve and execute civil processes.

19 The Board must authorize to each member of the Western
20 Illinois University Police Department and to any other employee
21 of Western Illinois University exercising the powers of a peace
22 officer a distinct badge that, on its face, (i) clearly states
23 that the badge is authorized by Western Illinois University and
24 (ii) contains a unique identifying number. No other badge shall
25 be authorized by Western Illinois University;

26 (12) The Board may, directly or in cooperation with other

1 institutions of higher education, acquire by purchase or lease
2 or otherwise, and construct, enlarge, improve, equip,
3 complete, operate, control and manage research and high
4 technology parks, together with the necessary lands,
5 buildings, facilities, equipment, and personal property
6 therefor, to encourage and facilitate (i) the location and
7 development of business and industry in the State of Illinois,
8 and (ii) the increased application and development of
9 technology, and (iii) the improvement and development of the
10 State's economy. The Board may lease to nonprofit corporations
11 all or any part of the land, buildings, facilities, equipment
12 or other property included in a research and high technology
13 park upon such terms and conditions as the Board may deem
14 advisable and enter into any contract or agreement with such
15 nonprofit corporations as may be necessary or suitable for the
16 construction, financing, operation and maintenance and
17 management of any such park; and may lease to any person, firm,
18 partnership or corporation, either public or private, any part
19 or all of the land, building, facilities, equipment or other
20 property of such park for such purposes and upon such rentals,
21 terms and conditions as the Board may deem advisable; and may
22 finance all or part of the cost of any such park, including the
23 purchase, lease, construction, reconstruction, improvement,
24 remodeling, addition to, and extension and maintenance of all
25 or part of such high technology park, and all equipment and
26 furnishings, by legislative appropriations, government grants,

1 contracts, private gifts, loans, receipts from the operation of
2 such high technology park, rentals and similar receipts; and
3 may make its other facilities and services available to tenants
4 or other occupants of any such park at rates which are
5 reasonable and appropriate;=

6 (13) To borrow money, as necessary, from time to time in
7 anticipation of receiving tuition, payments from the State of
8 Illinois, or other revenues or receipts of the University, also
9 known as anticipated moneys. The borrowing limit shall be
10 capped at 100% of the total amount of payroll and other expense
11 vouchers submitted and payable to the University for fiscal
12 year 2010 expenses, but unpaid at the State Comptroller's
13 office. Prior to borrowing any funds, the University shall
14 request from the Comptroller's office a verification of the
15 borrowing limit and shall include the estimated date on which
16 such borrowing shall occur. The borrowing limit cap shall be
17 verified by State Comptroller's office not prior to 45 days
18 before any estimated date for executing any promissory note or
19 line of credit established under this item (13). The principal
20 amount borrowed under a promissory note or line of credit shall
21 not exceed 75% of the borrowing limit. Within 15 days after
22 borrowing funds under any promissory note or line of credit
23 established under this item (13), the University shall submit
24 to the Governor's Office of Management and Budget, the Speaker
25 of the House of Representatives, the Minority Leader of the
26 House of Representatives, the President of the Senate, and

1 Minority Leader of the Senate, an Emergency Short Term Cash
2 Management Plan. The Emergency Short Term Cash Management Plan
3 shall outline the amount borrowed, the terms for repayment, the
4 amount of outstanding State vouchers as verified by the State
5 Comptroller's office, and the University's plan for
6 expenditure of any borrowed funds, including, but not limited
7 to, a detailed plan to meet payroll obligations to include
8 collective bargaining employees, civil service employees, and
9 academic, research, and health care personnel. The
10 establishment of any promissory note or line of credit
11 established under this item (13) must be finalized within 90
12 days after the effective date of this amendatory Act of the
13 96th General Assembly. The borrowed moneys shall be applied to
14 the purposes of paying salaries and other expenses lawfully
15 authorized in the University's State appropriation and unpaid
16 by the State Comptroller. Any line of credit established under
17 this item (13) shall be paid in full one year after creation or
18 within 10 days after the date the University receives
19 reimbursement from the State for all submitted fiscal year 2010
20 vouchers, whichever is earlier. Any promissory note
21 established under this item (13) shall be repaid within one
22 year after issuance of the note. The Chairman, Comptroller, or
23 Treasurer of the Board shall execute a promissory note or
24 similar debt instrument to evidence the indebtedness incurred
25 by the borrowing. In connection with a borrowing, the Board may
26 establish a line of credit with a financial institution,

1 investment bank, or broker/dealer. The obligation to make the
2 payments due under any promissory note or line of credit
3 established under this item (13) shall be a lawful obligation
4 of the University payable from the anticipated moneys. Any
5 borrowing under this item (13) shall not constitute a debt,
6 legal or moral, of the State and shall not be enforceable
7 against the State. The promissory note or line of credit shall
8 be authorized by a resolution passed by the Board and shall be
9 valid whether or not a budgeted item with respect to that
10 resolution is included in any annual or supplemental budget
11 adopted by the Board. The resolution shall set forth facts
12 demonstrating the need for the borrowing, state an amount that
13 the amount to be borrowed will not exceed, and establish a
14 maximum interest rate limit not to exceed the maximum rate
15 authorized by the Bond Authorization Act or 9%, whichever is
16 less. The resolution may direct the Comptroller or Treasurer of
17 the Board to make arrangements to set apart and hold the
18 portion of the anticipated moneys, as received, that shall be
19 used to repay the borrowing, subject to any prior pledges or
20 restrictions with respect to the anticipated moneys. The
21 resolution may also authorize the Treasurer of the Board to
22 make partial repayments of the borrowing as the anticipated
23 moneys become available and may contain any other terms,
24 restrictions, or limitations not inconsistent with the powers
25 of the Board.

26 For the purposes of this item (13), "financial institution"

1 means any bank subject to the Illinois Banking Act, any savings
2 and loan association subject to the Illinois Savings and Loan
3 Act of 1985, and any federally chartered commercial bank or
4 savings and loan association or government-sponsored
5 enterprise organized and operated in this State pursuant to the
6 laws of the United States.

7 (Source: P.A. 91-883, eff. 1-1-01.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law."